

JC12 Rec'd PCT/JP 29 SEP 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application for:

Davey et al.

Application No.: Filed concurrently

Filed: September 29, 2005

For: A METHOD AND SYSTEM FOR  
QUALITY OF SERVICE  
OPTIMISATION IN A DATA  
NETWORK

Examiner: To be assigned

Art Group: To be assigned

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Alexandria, VA 22313-1450

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Pursuant to 37 C.F.R. § 1.97(g), the submission of this Information Disclosure Statement (IDS) is not to be construed as a representation that a search has been made, and, pursuant to 37 C.F.R. § 1.97(h), the submission of this IDS is not to be construed as an admission that the information cited in this IDS is material to patentability.

This IDS is being submitted under one or more of the following sections of 37 C.F.R. § 1.97 (as indicated by an "X" to the left of the appropriate paragraph(s)):

  X   37 C.F.R. § 1.97(b). Filed:

- (1) Within three months of a National Application other than a CPA;
- (2) Within three months of entry into National Stage;
- (3) Before mailing of a first Office Action on the merits; or
- (4) Before mailing of a first Office Action after filing an RCE.

       37 C.F.R. § 1.97(c). Filed before the mailing of a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution.

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(1) One statement from 37 C.F.R. § 1.97(e);

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      (e)(2) The person signing below certifies that no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing below after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 1.56(c) more than three months prior to filing this IDS.

**OR**

(2) The fee set forth in 37 C.F.R. § 1.17(p).

      A check in the amount of \$180.00 is enclosed.

       37 C.F.R. § 1.97(d). Filed on or before payment of the issue fee.

And, BOTH of the following:

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      (e)(1) The person signing below certifies that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

      (e)(2) The person signing below certifies that no item of information contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing below after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 1.56(c) more than three months prior to filing this IDS.

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Accompanying this IDS is a list of references and a copy of each reference listed therein, EXCEPT copies of references waived under:

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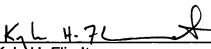
\_\_\_\_\_ 37 C.F.R. § 1.98(d) as being previously submitted in parent application  
\_\_\_\_\_/\_\_\_\_\_, to which the present application claims priority under 35  
U.S.C. § 120.

(B) 1273 Off. Gaz. Pat. Office 55 as being submitted with respect to an application filed after June 30, 2003.

The Commissioner is hereby authorized to charge shortages or credit overpayments to Deposit Account No. 500393. A Fee Transmittal is enclosed in duplicate for fee processing purposes.

Respectfully submitted,  
SCHWABE, WILLIAMSON & WYATT, P.C.

Dated: September 29, 2005

  
\_\_\_\_\_  
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Substitute for form 1449/PTO

(Use as many sheets as necessary)

Sheet	1	of	2
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**Complete if Known**

Application Number	Filed concurrently
Filing Date	September 29, 2005
First Named Inventor	Matthew Davey
Art Unit	To be assigned
Examiner Name	To be assigned
Attorney Docket Number	113356-145117

## U. S. PATENT DOCUMENTS

[illegible]

**FOREIGN PATENT DOCUMENTS**

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T*
		Country Code* Number* Kind Code* (if known)				
/J,K./	1	EP 0 932 280	07-28-1999	Reininger et al		
/J,K./	2	EP 1 045 555	10-18-2000	Hanko		

Examiner Signature	/Jutai Kao/	Date Considered	12/08/2008
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Substitute for form 1449/PTO		<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		<b>Application Number</b>	Filed concurrently
		<b>Filing Date</b>	September 29, 2005
		<b>First Named Inventor</b>	Matthew Davey
		<b>Art Unit</b>	To be assigned
		<b>Examiner Name</b>	To be assigned
<b>Sheet</b>		<b>of</b>	<b>Attorney Docket Number</b> 113356-145117

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.†	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
/J.K./	3	RAMPAL, Sanjeev; REEVES, Douglas S.; VINIOTIS, Ioannis, "Dynamic Resource Allocation Based on Measured QoS", Technical Report TR,	
/J.K./		January 1996, XP002285848, North Carolina State University, Retrieved from the Internet: <URL:http://rtcomm.csc.ncsu.edu/resalloc.htm> on 6/22/2004	
/J.K./	4	FULP, Erin; REEVES, Douglas S., "On-line Dynamic Bandwidth Allocation", Proceedings of the IEEE International Conference on Network Protocols,	
/J.K./		October 1997, pages 134-141, XP002285849, Retrieved from the Internet: <URL:www.cs.wfu.edu/fulp/Papers/icnp97.pdf> on 6/22/2004	

<b>Examiner Signature</b>	/Jutai Kao/	<b>Date Considered</b>	12/08/2008
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